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November 4, 1998

EX PARTE OR LATE FILED

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

EX PARTE PRESENTATION

Re: *In the Matter of Petition of Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell for Expedited Declaratory Ruling on Interstate IntraLATA Toll Dialing Parity, or in the Alternative, Various Other Relief, NSD File L-98-121*

Dear Ms. Salas:

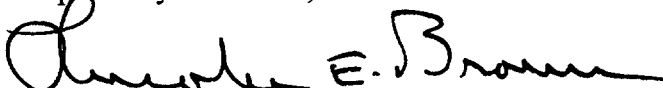
Attached is a written Ex Parte presentation regarding the current status of regulatory and legislative proceedings in the seven SBC states regarding intraLATA dialing parity. This information is being submitted at the request of the Network Services Division of the common Carrier Bureau.

Please include this letter in the record of these proceedings in accordance with Section 1.1206(a)(2) of the Commission's Rules.

Acknowledgment and date of receipt of this transmittal are requested. A duplicate transmittal letter is attached for that purpose.

Please contact the undersigned should you have any questions.

Respectfully submitted,


Attachments

cc: Greg Cooke
Kurt Schroeder

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SBC INTRALATA DIALING PARITY STATUS

ARKANSAS –

- No orders have been issued dealing with dialing parity.
- Interstate intraLATA is an issue in all Arkansas LATAs
- On October 2, 1998, AT&T filed a petition with the Commission requesting SWBT be required to implement intraLATA presubscription no later than February 8, 1999. No procedural schedule has been established.

CALIFORNIA –

- The Commission issued an order stating PAC Bell does not have to implement intraLATA dialing parity until it receives authority to go into the interLATA business. (97-04-083 Sec. 3-1, attached - tab 1)
- Interstate intraLATA is an issue in the LA LATA. Only 8000 Arizona customers are in the California LATA. California has a dialing parity plan ordered by the Commission.
- MCI & AT&T have filed requesting the Commission to force PAC Bell to provide intraLATA dialing parity by 2/8/99. PAC Bell has filed its response. A prehearing conference is scheduled for November 20, 1998 to determine the issues to be addressed.

KANSAS –

- Kansas statutes provide that SWBT is not required to provide intraLATA dialing parity until it receives authority to go into the interLATA business. (66-2203 (f) of the Kansas Statutes, attached – tab 2)
- Interstate intraLATA is an issue in both Kansas LATAs.
- SWBT's dialing parity plan has been filed and approved. A docket is open addressing dialing parity cost recover and PIC change charges.
- AT&T has filed a petition requesting the Commission order dialing parity by 2/8/99, and SWBT has filed its reply pointing out that under the Kansas law, previous KCC decisions, and the Telecommunication Act of 1996, SWBT is not yet required to provide intraLATA dialing parity.

MISSOURI –

- No orders have been issued dealing with dialing parity.
- IntraLATA interstate is an issue in Missouri in all of the LATAs except Westphalia.
- On September 29, 1998 MCI petitioned the Commission to require SWBT to provide intraLATA presubscription no later than 2-8-99. SWBT filed its opposition to MCI's petition, and the Commission Staff filed in support of the MCI petition. No further procedural schedule has been established.

– NEVADA –

- IntraLATA toll dialing parity does not have to be implemented in Nevada until Nevada Bell receives the authority to go into the interLATA business. (97-2010 Settlement Agreement pg. 3, attached – tab 3)
- Interstate intraLATA is an issue with a few customers in both LATAs.
- Nevada has a dialing parity plan approved by the Commission which calls for Nevada Bell to be in the interLATA business before intraLATA dialing parity is required.

OKLAHOMA –

- IntraLATA toll dialing parity has not been addressed in Oklahoma.
- Interstate intraLATA is an issue in both of the Oklahoma LATAs.
- On September 29, 1998 MCI petitioned the Commission to require SWBT to provide intraLATA presubscription no later than 2-8-99. The Commission has established the following procedural schedule:

10-25-98	MCI Testimony
11-25-98	All other parties file testimony
12-16-98	All parties file rebuttal
12-22-98	Discovery deadline
1-6-99	Briefs due
1-13-99	Reply briefs
1-14-99	Hearings before ALJ
2-1-99	Appeals heard by Commission

TEXAS –

- SWBT does not have to implement intraLATA dialing parity until it receives the authority to go into the interLATA business. (PURA Sec. 55.009 & Sec. 54.159, attached – tab 4)
- SWBT filed a dialing parity plan in Texas, as yet the Commission has not issued an order on the plan.
- Interstate intraLATA is an issue in three of the Texas LATAs.
- On September 30, 1998 AT&T petitioned the Commission to require SWBT to provide intraLATA presubscription no later than 2-8-99. A response is due to be filed November 4, 1998.

APR 25 1997

Decision 97-04-083 April 23, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Alternative
Regulatory Frameworks for Local
Exchange Carriers.

I.87-11-033
(Filed November 25, 1987)

Application 85-01-034
(Filed January 22, 1985;
amended June 17, 1985 and
May 19, 1986)

Application 87-01-002
(Filed January 5, 1987)

And Related Matters.

I.85-03-078
(Filed March 20, 1985)

(IntraLATA Presubscription Phase)

I.87-02-025
(Filed February 11, 1987)
Case 87-07-024
(Filed July 16, 1987)

(See Appendix B for list of appearances.)

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1996, and concurrent reply briefs on December 11, 1996. Parties active in these proceedings include Pacific Bell, the GTE companies, AT&T Communications of California Inc. (AT&T), MCI Telecommunications Corporation (MCI), Sprint Communications Company L.P. (Sprint), the California Payphone Association (CPA), Citizens Utilities Company, the Roseville Telephone Company, nine small independent local exchange companies ranging in size from 500 to 17,000 access lines, and the ORA.

3. Issues Deemed Resolved

Following the GTE settlement discussions and an industry workshop, the Commission's telecommunications staff reported on July 31, 1996, that parties had reached agreement on intraLATA issues in two broad categories. First, parties agreed that four issues had been made moot by the Telecommunications Act. Second, parties identified four other issues upon which the telephone companies and consumer advocates generally agreed. Finally, staff reported, the parties identified numerous disputed issues that would require evidentiary hearing. A brief discussion of the mooted issues and the agreed-upon issues follows:

3.1 Issues Mooted by Telecommunications Act

(1) Necessity for 1-Plus Dialing

Initially, there was dispute as to the necessity of intraLATA equal access, since customers today can select another carrier for intraLATA calls by first dialing the digits "10," followed by a three-digit carrier identification code, followed by the area code and telephone number of the called party (or the 7-digit called number within the same area code). Sections 251(b)(3) and 271(e)(2)(A) of the Telecommunications Act make clear that both Bell and non-Bell local exchange carriers must make dialing parity available to competing carriers. The FCC in its Second Report and Order interpreted the words "dialing parity" as contained in the Telecommunications Act to mean "that customers of these competitors should not have to dial extra digits to have

their calls routed over that [local exchange carrier's] network."¹⁰

(2) Cost/Benefit Analysis

The federal government, the California Legislature and most state utilities commissions, including this Commission, have determined that the benefits of competition in telecommunications services outweigh the costs of implementing competition. Section 252 of the Telecommunications Act provides that agreements on interconnection, resale and the purchase of unbundled network elements will depend, in the first instance, on private negotiations without government intrusion. To the extent that negotiations fail, carriers may request state commissions to mediate or arbitrate disputes.

(3) Timing of 1-Plus Presubscription With Market Parity

Section 271(e)(2)(B) of the Telecommunications Act provides that "...a State may not require a Bell operating company [like Pacific Bell] to implement intraLATA toll dialing parity in that State before a Bell operating company has been granted authority under this section to provide interLATA services originating in that State or before 3 years after February 8, 1996, whichever is earlier." For Pacific Bell, therefore, implementation of intraLATA presubscription may be required coincident with authorization of long distance service by its affiliate, Pacific Bell Communications.¹¹ The GTE companies, which are not Bell operating companies, were authorized by this Commission in

¹⁰ Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Second Report and Order and Memorandum and Order, CC Docket No. 96-98 (August 8, 1996).

¹¹ Authorization for long distance service is being sought by Pacific Bell Communications in Application 96-03-007. Three weeks of hearings in that proceeding ended on December 20, 1996, and final briefs were due on February 14, 1997.

D.96-12-078 (December 20, 1996) to implement intraLATA equal access in all their end offices by March 1997.

(4) Timing of 1-Plus Presubscription, Regulatory Parity

We have in the past commented on the "inevitable tension" caused by efforts to open telecommunications to competition and at the same time maintain affordable basic service for all Californians.¹² These are common objectives of all of our telecommunications proceedings, including Local Exchange Competition, Rulemaking 95-04-043, Open Access and Network Architecture Development, Rulemaking 93-04-003, and the several arbitration proceedings filed pursuant to § 252 of the Telecommunications Act. Pacific Bell initially asked whether 1-plus dialing should be considered in conjunction with cost and pricing proceedings in the event it faced intraLATA competition and loss of business before it could compete in the interLATA market,¹³ or before regulatory safeguards were in place to protect Pacific Bell's revenue. Since Pacific Bell will not be required to implement 1-plus dialing until it is authorized (through an affiliate) to compete in long distance service, this issue is no longer before us.

3.2 Issues Upon Which Parties Agree

(1) Balloting

Balloting is a process in which telephone subscribers would be asked to choose from a menu of intraLATA toll carriers. Such a process was employed in the mid-1980s, when subscribers were asked to choose a long distance carrier for interLATA equal access. Parties here agree that balloting for an intraLATA carrier would be confusing to customers, costly, and would force consumers to make

12 Re Alternative Regulatory Frameworks for Local Exchange Carriers (1994) 56 CPUC2d 117, 145.

13 Motion of Pacific Bell for a Procedural Order, at D-5.

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Statute 66-2003

Chapter 66.--PUBLIC UTILITIES

Article 20.--TELECOMMUNICATIONS

66-2003. Local exchange carriers; resale; terms and conditions. (a) On or before September 1, 1996, the commission shall begin to authorize applications for certificates of public convenience and necessity to provide local exchange or exchange access service.

(b) A local exchange carrier shall be required to offer to allow reasonable resale of its retail telecommunications services and to sell unbundled local loop, switch and trunk facilities to telecommunications carriers, as required by the federal act and pursuant to negotiated agreements or a statement of terms and conditions generally available to telecommunications carriers.

(c) To encourage telecommunications carriers to build or install telecommunications facilities, including, but not limited to, local loop and switching facilities in the state, and except as otherwise negotiated by a local exchange carrier and a telecommunications carrier, the prices for such unbundled facilities shall be determined by the commission, on a nondiscriminatory basis, to permit the recovery of costs and a reasonable profit. The commission shall determine wholesale rates on the basis of retail rates charged subscribers for the telecommunications service requested, excluding the portion thereof attributable to any marketing, billing, collection and other costs, that will be avoided by the local exchange carrier. The commission shall approve resale restrictions proposed by any local exchange carrier which prohibit resellers from purchasing retail telecommunications services offered by that local exchange carrier to one category of customers and reselling those retail services to a different category of customers. Upon a finding that such practice would be anticompetitive, anticonsumer or detrimental to the quality of the network infrastructure, the commission may prohibit the resale of retail services at a rate lower than the wholesale rate. The commission shall approve any other reasonable limitation on resale to the extent permitted by the federal act.

(d) As provided in the federal act, in order for telecommunications carriers to provide local exchange service and exchange access service, local exchange carriers shall provide the means to interconnect their respective customers, including, but not limited to, toll access, access to operator services, access to directory listings and assistance, and access to E911 service.

(e) Customers shall be accorded number portability and local dialing parity in conformance with national standards to the extent economically and technically feasible. Terms and prices for interconnection, unbundled facilities and resale of existing retail telecommunications services shall be negotiated in good faith between the parties. During the period from the 135th through the 160th day after the date on which an incumbent local exchange carrier receives a request for negotiation under this section, the carrier or any other party to the negotiation may petition the commission to arbitrate any open issues. Arbitration shall occur in conformance with the provisions of section 252 of the federal act.

(f) The commission shall require, consistent with the terms of the federal act, that 1+ intraLATA dialing parity be provided by all local exchange carriers and telecommunications carriers coincidentally with the provision of in-region interLATA toll services in the state by local exchange carriers with more than 150,000 access lines or their affiliates.

History: L. 1996, ch. 268, S. 4; July 1.





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MAY 19 1997

NEVADA BELL
REGULATORY

BEFORE THE PUBLIC SERVICE COMMISSION OF NEVADA

In Re Filing by CONTEL OF NEVADA for
tariff revisions establishing Equal
Access for 1+/0+ IntralATA toll traffic
originating from CONTEL's end offices.
Advice Letter No. 246

Docket No. 96-7036

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In Re Filing by CENTRAL TELEPHONE COMPANY
of revisions to the access services
tariff No. 3 to reflect tariff language
changes to implement 1+ presubscription
for intralATA toll in the company's
service area. Advice Letter No. 45

Docket No. 96-12018

In Re the Filing by NEVADA BELL of tariff
revisions for approval of a plan to
implement IntralATA Toll Dialing Parity
and 0+ and 1+ IntralATA Presubscription.

Docket No. 97-2010

At a general session of the Public
Service Commission of Nevada, held at
its offices on May 1, 1997

PRESENT: Chairman John F. Mendoza
Commissioner Galen D. Denio
Commissioner Judy Sheldrew
Commissioner Donald L. Soderberg
Commissioner Timothy Hay
Commission Secretary Clayton L. Holstine

COMPLIANCE ORDER

The Public Service Commission of Nevada ("Commission") makes the following
findings of fact and conclusions of law:

1. On July 24, 1996, in Docket No. 96-7036, GTE California Incorporated
d/b/a GTE Nevada ("GTE") filed Advice Letter No. 246 requesting approval of its
tariff schedule to implement intralATA equal access in accordance with a
conversion schedule and subject to the rates, terms and conditions contained in
the tariff sheets filed with the Advice Letter.

2. On December 5, 1996, in Docket No. 96-12018, Sprint/Central Telephone
Company - Nevada ("Sprint/Central") filed Advice Letter No. 45 requesting
approval of its tariff schedule to implement intralATA equal access in accordance
with a conversion schedule and subject to the rates, terms and conditions
contained in the tariff sheets filed with the Advice Letter.

3. On February 7, 1997, in Docket 97-2010, Nevada Bell filed its plan for the establishment of intraLATA equal access.

4. These matters come within the purview of the Commission's jurisdiction pursuant to the provisions of NRS 704.110.

5. The Commission issued public notices of these tariff filings in accordance with law and the Commission's Rules of Practice and Procedure. Leave to intervene was granted to MCI Telecommunications, Inc. ("MCI"), Sprint/Central and NextLink Nevada, LLC ("NextLink") in Docket No. 96-7036. MCI, AT&T Communications of Nevada, Inc. ("AT&T"), GTE (during these proceedings, CONTEL changed its name to GTE), Nevada Bell and NextLink were granted leave to intervene in Docket No. 96-12018. MCI, GTE, and NextLink were granted leave to intervene in Docket No. 97-2010. Furthermore, the Attorney General's Office of Advocate for Customers of Public Utilities ("OCA") and the Regulatory Operations Public Service Commission's Staff ("Staff") participated in these filings as a matter of right.

6. By Order dated February 21, 1997, these filings were consolidated pursuant to Nevada Administrative Code ("NAC") 703.740.

7. Prehearing conferences were held in Docket No. 96-7036 on January 6, 1997, and January 13, 1997. Hearings concerning consolidated docket Nos. 96-7036, 96-12018 and 97-2010 were held on March 19-20, 1997.

8. A Settlement Agreement concerning Docket Nos. 96-7036, 96-12018 and 97-2010 was filed on March 19, 1997. The settlement agreement purports to resolve all issues raised by these filings, except that all three dockets are to remain open (a) pending notification to end user customers of the conversion of their serving end offices to intraLATA equal access, so that the language of the bill inserts can be resolved, if necessary, by the Commission, and (b) pending approval by Staff of business office methods and procedure, or, if necessary, resolution by the Commission.

9. The rates for equal access cost recovery for GTE, Nevada Bell, and Sprint/Central, and the five-year period over which the costs are to be recovered, which are set forth in the Settlement Agreement, are just and reasonable and should be approved. The Commission should review these rates in the future as set forth in the Settlement Agreement.

10. GTE, Nevada Bell and Sprint/Central should be ordered to file tariffs which reflect the rates and terms set forth in the Settlement Agreement within thirty (30) days of the date of issuance of this Compliance Order.

11. The Commission should close these dockets without further order if no action contemplated in Paragraph 8 hereinabove has been taken by a party to the Settlement Agreement by August 29, 1997.

12. It is in the public interest to accept the Settlement Agreement.

THEREFORE, based upon the foregoing findings and conclusions, it is hereby ORDERED that:

1. The Settlement Agreement executed by the parties to Docket Nos. 96-7036, 96-12018, and 97-2010, which is incorporated herein by reference, is ACCEPTED;

2. The rates for equal access cost recovery for GTE, Nevada Bell, and Sprint/Central set forth in the Settlement Agreement are APPROVED;

3. GTE, Nevada Bell, and Sprint/Central shall file tariffs which reflect the rates and terms set forth in the Settlement Agreement within thirty (30) days of the date of issuance of this Compliance Order. Failure on the part of these companies to file appropriate tariffs may cause this Compliance Order to be vacated and the underlying tariff filings dismissed, unless the Commission otherwise orders;

4. Docket Nos. 96-7036, 96-12018 and 97-2010 shall remain open for the period and purposes set forth hereinabove in Paragraph No. 8, and should then be closed without further order should the conditions set forth above in Paragraph No. 11 be met;

Docket nos. 96-7036/96-12018/97-2010

Page 4

5. The Commission retains jurisdiction for the purpose of correcting any errors which may have occurred in the drafting or issuance of this Compliance Order.

By the Commission:


 JOHN F. MENDOZA, Chairman


 GALEN D. DENIO, Commissioner


 JUDY M. SHILORE, Commissioner


 DONALD L. SCHLESBERG, Commissioner


 TIMOTHY HAY, Commissioner

Attest:


 CLAYTON L. HOLSTINE, Commission Secretary

Dated: Carson City, Nevada

May 12, 1997

(SEAL)

BEFORE THE PUBLIC SERVICE COMMISSION OF NEVADA

In Re Filing by GTE Nevada
for tariff revisions establishing
Equal Access for 1+/0 intraLATA toll
traffic originating from GTE Nevada's
end offices.
Advice Letter No. 246

Docket No. 96-7036

In Re Filing by CENTRAL TELEPHONE
COMPANY of revisions to the access services
tariff No. 3 to reflect tariff language changes
to implement 1+ presubscription for
IntraLATA toll in the company's service area.
Advice Letter No. 45.

Docket No. 96-12018

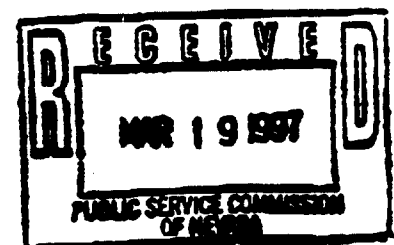
In Re Filing by NEVADA BELL of tariff
revisions for approval of a plan to implement
IntraLATA Toll Dialing Parity and 0+ and 1+
IntraLATA Presubscription.

Docket No. 97-2010

SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT, executed this 19th day of March, 1997, is entered into by and among the following parties to the above consolidated proceedings (hereinafter collectively "the Parties"):

GTE California, Incorporated d/b/a GTE of Nevada (GTE)
The Public Service Commission of Nevada's
Regulatory Operations Staff (Staff)
State of Nevada Attorney General's
Office for Customers of Public Utilities (OCA)



AT&T Communications of Nevada, Inc. (AT&T)
Sprint/Central Telephone Company - Nevada (Sprint)
MCI Telecommunications Corporation (MCI)
Nevada Bell
Nextlink

WHEREAS, on July 24, 1996, in Docket No. 96-7036, GTE California Incorporated d/b/a GTE of Nevada (GTE) filed Advice Letter No. 246 requesting approval of its tariff schedule to implement intraLATA equal access in accordance with a conversion schedule and subject to the rates, terms and conditions contained in the tariff sheets filed with the Advice Letter; and on December 5, 1996, in Docket No. 96-12018, Sprint/Central Telephone Company - Nevada filed Advice Letter No. 45 requesting approval of its tariff schedule to implement intraLATA equal access in accordance with a conversion schedule and subject to the rates, terms and conditions contained in the tariff sheets filed with the Advice Letter; and on February 7, 1997, in Docket No. 97-2010, Nevada Bell filed its plan for the establishment of intraLATA equal access; and

WHEREAS, all parties intervened in each other's dockets and Dockets No. 96-7036, 96-12018, and 97-2010 were consolidated by order of the Public Service Commission of Nevada (Commission) dated February 21, 1997; and

WHEREAS, the Parties have met on a number of occasions to discuss the possibility of settling the outstanding issues raised by the intraLATA equal access plans of GTE, Nevada Bell, and Sprint Telephone Company - Nevada (hereinafter known as the Incumbent Local Exchange Carriers or ILECs); and

WHEREAS, the Parties have negotiated in good faith to reach a settlement regarding this matter and have reached an agreement regarding the issues related to the implementation of

intraLATA equal access in the service areas of the ILECs.

NOW THEREFORE, the Parties agree as follows:

1. The GTE scheduled conversion date of July 8, 1997 is reasonable. The Sprint scheduled conversion date of July 1, 1997 is reasonable, provided Sprint is able to meet the 60-day notice requirement *infra*. Nevada Bell's conversion date will be coincident with its own or its affiliate's entry into the in-region interLATA market as required by Section 271(e)(2)(B) of the Telecommunications Act of 1996. Nevada Bell shall give at least 60-days notice of its planned date for implementation of intraLATA equal access to all of its switched access customers.
2. The full, two-PIC methodology should be used as the method to implement intraLATA equal access. This methodology allows telephone customers to choose separate interLATA and intraLATA telephone service providers.
3. The ILECs will provide notice to their end user customers of the forthcoming conversion of their serving end offices to intraLATA equal access by means of a bill insert which will be developed by each individual ILEC, in conjunction with both OCA and Staff. The ILECs will notify their customers served by converting end offices by bill insert approximately sixty (60) days prior to the actual conversion of an office to equal access. In the event the Parties cannot agree to the content of the bill insert, the matter shall be submitted to the Commission for an expeditious resolution thereof. The Parties agree that each docket should be left open until each ILEC's respective notification is finalized.
4. GTE will allow existing end user customers to make one intraLATA PIC change

US OFFICE PRODUCTS

PUBLIC UTILITY REGULATORY ACT

Effective as of September 1, 1997

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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Sec. 55.008. IMPROVEMENTS IN SERVICE; INTERCONNECTING SERVICE.

The commission, after notice and hearing, may:

- (1) order a public utility to provide specified improvements in its service in a specified area if:
 - (A) service in the area is inadequate or substantially inferior to service in a comparable area; and
 - (B) requiring the company to provide the improved service is reasonable; or
- (2) order two or more utilities to establish specified facilities for interconnecting service.

(V.A.C.S. Art. 1446c-0, Sec. 3.262(a) (part).)

Sec. 55.009. INTRALATA CALLS.

- (a) If federal law prohibits a local exchange company in this state from providing interLATA telecommunications services, the local exchange companies in this state designated or de facto authorized to receive a "0-plus" or "1-plus" dialed intraLATA call are exclusively designated or authorized to receive such a call.
- (b) A telecommunications utility operating under a certificate of operating authority or a service provider certificate of operating authority is de facto authorized to receive a "0-plus" or "1-plus" dialed intraLATA call on the date the utility receives its certificate, to the extent the utility is not restricted by Section 54.159.
- (c) If federal law allows all local exchange companies to provide interLATA telecommunications services, the commission shall ensure that:
 - (1) a customer may designate a provider of the customer's choice to carry the customer's "0-plus" and "1-plus" dialed intraLATA calls; and
 - (2) equal access in the public network is implemented to allow the provider to carry those calls.

(V.A.C.S. Art. 1446c-0, Sec. 3.219.)

Sec. 55.010. BILLING FOR SERVICE TO THE STATE. A telecommunications utility providing service to the state, including service to an agency in any branch of state government, may not impose a fee, a penalty, interest, or any other charge for delinquent payment of a bill for that service.

(V.A.C.S. Art. 1446c-0, Sec. 3.218.)

- (5) may obtain services offered by or negotiated with a holder of a certificate of convenience and necessity or a certificate of operating authority; and
- (6) may obtain for resale single or multiple line flat rate intraLATA calling service when provided by the local exchange company at the tariffed rate for online digital communications.

(V.A.C.S. Art. 1446c-0, Sec. 3.2532(d) (part).)

Sec. 54.157. OPTIONAL EXTENDED AREA SERVICE OR EXPANDED LOCAL CALLING SERVICE.

- (a) A certificate holder may purchase for resale:
 - (1) optional extended area service; and
 - (2) expanded local calling service.
- (b) The purchase of optional extended area service and expanded local calling service may not be discounted.

(V.A.C.S. Art. 1446c-0, Sec. 3.2532(d) (part).)

Sec. 54.158. INTERFERENCE WITH RESOLD SERVICES PROHIBITED.

An incumbent local exchange company may not:

- (1) delay providing or maintaining a service provided under this subchapter;
- (2) degrade the quality of access the company provides to another provider;
- (3) impair the speed, quality, or efficiency of a line used by another provider;
- (4) fail to fully disclose in a timely manner after a request all available information necessary for a certificate holder to provide resale services; or
- (5) refuse to take a reasonable action to allow a certificate holder efficient access to the company's ordering, billing, or repair management system.

V.A.C.S. Art. 1446c-0, Sec. 3.2532(g).)

Sec. 54.159. RETENTION OF ACCESS SERVICE AND INTRALATA TOLL SERVICE. An incumbent local exchange company that sells flat rate local exchange telephone service to a certificate holder may retain all access service and "1-plus" intraLATA toll service that originates over the resold flat rate local exchange telephone service.

(V.A.C.S. Art. 1446c-0, Sec. 3.2532(f).)